

TERRA TECHNOLOGIES

Midwestern Environmental & Biotechnical Engineering Corporation

Facsimile Transmittal Sheet

To: Ms. Cheryle Micinski

From: David J. Heinze, P.E.

Company: USEPA

Date: August 25, 2004

Fax Number: 913-551-7925

Total number of pages including cover: 12

Phone number:

Re: Information Request Response

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Notes/Comments:

Ms. Micinski,

Attached is the letter in response to the request for information regarding the Crossroads property adjacent to the West Lake Landfill. Let us know if you need anything else.

Thanks

David

40332214



Superfund

If you did not receive all pages or experience any other problems with this transmission, please call us. This facsimile contains confidential information which may be legally privileged and which is intended only for the use of the addressee(s) named above. If you are not the intended recipient of this facsimile, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to us at the above address via the U S Postal Service. Thank you.

907 Fee Fee Road • Maryland Heights, Missouri 63043

Phone: 314-434-1550 • Fax: 314-434-4992

<http://www.terratechnologies.com> • e-mail: terratech@terratechnologies.com



TERRA TECHNOLOGIES

VIA FACSIMILE and Regular Mail
(913) 551-7925

August 25, 2004

Ms. Cheryle Micinski
Deputy Regional Counsel
U.S. Environmental Protection Agency
901 N. 5th Street
Kansas City, Kansas 66101

**Re: Request for Information
AAA Trailer/Crossroad Properties
West Lake Landfill Site**

Dear Ms. Micinski:

AAA Trailer Services, Inc. (AAA Trailer) is in receipt of your letter dated August 4, 2004 requesting information and documents relating to the West Lake Landfill Superfund Site in Bridgeton, Missouri (Site). As described later in the responses, AAA Trailer is leasing the properties in question (Lot 2A2 and the Buffer Property) and does not own the properties.

As requested, a separate response has been prepared for each of the questions set forth in the request for information.

- 1. Describe the interest held by AAA in the Crossroad Property, as depicted on Attachment A as Lot 2A2. Provide a copy of any lease, rental agreement, deed or other document identifying that interest.*

Lot 2A2 and the Buffer Property were purchased by two separate entities from Crossroads Properties in May 2003. The entities are associated with AAA Trailer (AAA Trailer is leasing the properties from the entities) and include K&A Realty, LLC, which holds the title to Lot 2A2 and V&B Realty, LLC which holds the title to the Buffer Property. Copies of the deeds for the two properties purchased by K&A Realty and V&B Realty are attached to this letter.

- 2. Describe each occasion that dirt, soil, gravel, or other material (material) was moved, removed, excavated, piled, scraped, on the Crossroad Property and the Buffer, including the amount of material, the identity of the person performing the action, the date(s), the equipment used, where the material was placed or disposed*

Ms. Cheryle Micinski
U.S. EPA
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of. Provide a map indicating the area affected. If the action was performed pursuant to a contract, provide the contract. If the action was performed pursuant to a plan, provide the plan.

As you are aware, around July 1999, the upper two to six inches of soil material was scraped from the Crossroad and Buffer properties and pushed up against the fence adjacent to the West Lake Landfill as shown on the figure provided with your letter. A bull dozer was used to scrape or grade the surficial material to make the property usable.

After the properties were obtained by K&A Realty and V&B Realty, around May 2003, a geotextile fabric was placed on the ground surface of both properties and approximately eight to 12 inches of gravel was placed on the geotextile so that trailers could be temporarily parked or stored on the property. The work was performed by K&A Realty and V&B Realty using a loader or high-lift without a formal plan.

3. *Describe any sampling and analysis conducted by or on behalf of Crossroad at the Crossroad property or the Buffer. Provide a copy of any plan or report relating to sampling and analysis.*

K&A Realty and V&B Realty have never performed sampling or analysis on either the Crossroad or Buffer properties.

4. *Provide information regarding the fate of the bermed or mounded soil and other material that was previously located along the property line as indicated on Attachment A. Identify who removed the material and where the material was ultimately placed or disposed of. Provide any manifests or shipping documents.*

According to Mr. Byron, the bermed or mounded soil and other material that was previously located along the property line was not removed and is still located along the property line.

5. *Describe the depth of the gravel, which presently covers the Crossroad property and the Buffer.*

The depth of the gravel which presently covers the Crossroad property and Buffer is approximately eight to 12 inches thick. As previously discussed, the gravel was placed on a geotextile fabric.

6. *Describe the present use of the Crossroad property, including the identity of the person or firm, and the length of such use.*

TERRA TECHNOLOGIES

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The Crossroad property is currently used as a temporary parking or storage area for trailers by AAA Trailer Services, Inc. and had been used for such purposes since the gravel was placed on this area.

7. Identify the person answering these questions on behalf of AAA.

Mr. David J. Heinze, P.E. of Terra Technologies, Inc. prepared these responses on behalf of K&A Realty and V&B Realty with input from Mr. Lindell Byron.



We hope that the information provided is sufficient for your needs. Should you have any questions regarding the responses to the questions or need additional information, please do not hesitate to contact Mr. Lindell Byron at (314) 739-6000 or me at (314) 434-1550.

Sincerely,

TERRA TECHNOLOGIES, INC.

David J. Heinze, P.E.
Principal

Attachments

cc: Mr. Lindell Byron

TERRA TECHNOLOGIES

907 Fee Fee Road • Maryland Heights, MO 63043
Phone: 314 434.1550 • Fax: 314 434.4992
<http://www.terratechnologies.com>

BP14859/1349



2003051201380

**JANICE M. HAMMONDS, RECORDER OF DEEDS
ST. LOUIS COUNTY MISSOURI
41 SOUTH CENTRAL, CLAYTON, MO 63105**

TYPE OF INSTRUMENT **WD** GRANTOR **CROSSROAD PROPERTIES L L C** TO **V AND B REALTY L L C** GRANTEE
PROPERTY **CROSSROADS INDUSTRIAL PARK LT SPLIT LOT C PB 351 PG 281**
DESCRIPTION:

Lien Number	Notation	Locator
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NOTE: I, the undersigned Recorder of Deeds, do hereby certify that the information shown on this Certification Sheet as to the TYPE OF INSTRUMENT, the NAMES of the GRANTOR and GRANTEE as well as the DESCRIPTION of the REAL PROPERTY affected is furnished merely as a convenience only, and in the case of any discrepancy of such information between this Certification Sheet and the attached Document, the ATTACHED DOCUMENT governs. Only the DOCUMENT NUMBER, the DATE and TIME of filing for record, and the BOOK and PAGE of the recorded Document is taken from this CERTIFICATION SHEET.

RECORDER OF DEEDS DOCUMENT CERTIFICATION

STATE OF MISSOURI)
SS. _____
COUNTY OF ST. LOUIS)

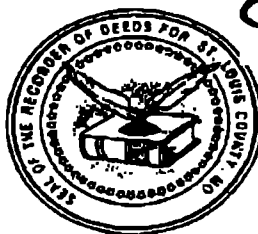
Document Number
1,380

I, the undersigned Recorder of Deeds for said County and State, do hereby certify that the following and annexed instrument of writing, which consists of 4 pages, (this page inclusive), was filed for record in my office on the 12 day of May 2003 at 12:48 PM and is truly recorded in the book and at the page shown at the top and/or bottom of this page.

In witness whereof I have hereunto set my hand and official seal the day, month and year aforesaid.

John Reber ^{GS}
Deputy Recorder

____ N.P.
____ N.P.C.
____ N.N.C.
____ N.N.I.



Janice M. Hammonds
Recorder of Deeds
St. Louis County, Missouri

RECORDING FEE \$29.00
(Paid at the time of Recording)

Mail to:

Empty box for mailing address

Destination code: 21 P

B-14859 P-1349/1352

BP14859/1350

GENERAL WARRANTY DEED

THIS DEED, made and entered into as of the 8th day of May, 2003, by and between Crossroad Properties, L.L.C., a Missouri limited liability company, (hereinafter Grantor) (address: 13588 Northwest Industrial Drive, Bridgeton, Missouri 63044) and V and B Realty, L.L.C., (hereinafter Grantee) (address: 6341 State Road, DeSoto, MO 63020)

WITNESSETH, the Grantor, for and in consideration of the sum of one dollar and other valuable considerations paid by the said Grantee, the receipt of which is hereby acknowledged, docs by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said Grantee, the real estate situated in the County of St. Louis and State of Missouri more particularly described as:

See Exhibit "A" attached and made a part hereof

SUBJECT TO: building lines, easements, conditions, restrictions, and zoning regulations, if any, of record.

16721-03008454 -S-C-

BP14859/1351

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto Grantees and their successors and assigns forever. The Grantor hereby covenanting that it and its successors and assigns shall and will **WARRANT AND DEFEND** the title unto the premises unto Grantees and their successors and assigns, forever against the lawful claims of all persons whomsoever, excepting, however, the general taxes for the year 2003 and thereafter, and special taxes becoming a lien after the date of this deed.

IN WITNESS WHEREOF, the Grantor has caused these presents to be signed the day and year first above written.

Crossroad Properties, L.L.C.

By: CGM Smith, L.L.C., Member

By: 

Russell J. Smith, Manager

STATE OF MISSOURI)

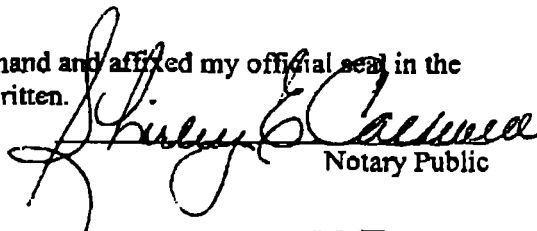
) ss

COUNTY OF St. Louis)

On this 8th day of May, 2003, before me personally appeared Russell J. Smith, who, being by me duly sworn, he is the Manager of CGM Smith, L.L.C. Member of Crossroad Properties, L.L.C. and that the foregoing instrument was signed on behalf of said limited liability company by authority of its Members and said Russell J. Smith, and acknowledged said instrument to be the free act and deed of said limited liability company.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal in the County and State the day and year first above written.

My Term expires:


Notary Public

SHIRLEY E. CALDWELL
Notary Public - Notary Seal
STATE OF MISSOURI
ST. CHARLES COUNTY
MY COMMISSION EXP. JAN. 17, 2006

BP14859/1352

File #: 03008959

**EXHIBIT A
LEGAL DESCRIPTION**

Land situated in the County of St. Louis, and State of MO, to-wit:

Parcel No. 1:

Parcel C of the "Lot Split Plat of Lot 2A2 of a Lot Split Plat of Lot 2A of the Resubdivision of Lot 2 of Crossroads Industrial Park, Lots 2A, 2B and 2C" a subdivision in the County of St. Louis, Missouri, according to the plat thereof recorded on May 5, 2003 in Plat Book 351 page 281 of the St. Louis County Records.

Parcel No. 2: Non Exclusive Easement for pedestrian and vehicular access, ingress and egress to and from Crossroads Industrial Drive, created by the Roadway Access Easement and Easement Maintenance Agreement dated December 27, 1996 and recorded on December 27, 1996 in Book 11039 page 1265, on, over and across a portion of Lot 2B of the Resubdivision of Lot 2 of Crossroads Industrial Park, Lots 2A, 2B and 2C according to plat thereof recorded in Plat Book 344 page 371 of the St. Louis County Records, and shown on Exhibit "D" of said easement deed.

Parcel No. 3: Non-Exclusive Easement for pedestrian and vehicular access, ingress and egress to and from Crossroad Industrial Drive, created by the Roadway and Utility Easement and Maintenance Agreement dated May 13, 1998 and recorded on May 14, 1998 in Book 11596 page 47, on, over and across a portion of Lot 2A1 of Lot Split of Lot 2A of "The Resubdivision of Lot 2 of Crossroads Industrial Park, Lots 2A, 2B and 2C" according to plat thereof recorded in Plat Book 346 page 260 of the St. Louis County Records.

COMMONLY KNOWN AS: 4601 Crossroads Ind (Lot C), St. Louis, MO 63044

LOCATOR NUMBER: 090220146



* 2003051201381 *

JANICE M. HAMMONDS, RECORDER OF DEEDS
ST. LOUIS COUNTY MISSOURI
41 SOUTH CENTRAL, CLAYTON, MO 63105

TYPE OF INSTRUMENT: WD
GRANTOR: CROSSROAD PROPERTIES L L C
TO: K AND A REALTY L L C
GRANTEE: K AND A REALTY L L C
PROPERTY DESCRIPTION: CROSSROAD INDUSTRIAL PARK LT SPLIT LOT 8 PB 351 PG 281

Line Number	Notation	Locator

NOTE: I, the undersigned Recorder of Deeds, do hereby certify that the information shown on this Certification Sheet as to the TYPE OF INSTRUMENT, the NAMES of the GRANTOR and GRANTEE as well as the DESCRIPTION of the REAL PROPERTY affected is furnished merely as a convenience only, and in the case of any discrepancy of such information between this Certification Sheet and the attached Document, the ATTACHED DOCUMENT governs. Only the DOCUMENT NUMBER, the DATE and TIME of filing for record, and the BOOK and PAGE of the recorded Document is taken from this CERTIFICATION SHEET.

RECORDER OF DEEDS DOCUMENT CERTIFICATION

STATE OF MISSOURI)
SS.
COUNTY OF ST. LOUIS)

Document Number
1,381

I, the undersigned Recorder of Deeds for said County and State, do hereby certify that the following and annexed instrument of writing, which consists of 8 pages, (this page inclusive), was filed for record in my office on the 12 day of May, 2003 at 12:48 PM and is truly recorded in the book and at the page shown at the top and/or bottom of this page.

In witness whereof I have hereunto set my hand and official seal the day, month and year aforesaid.

John R. Baker GS
Deputy Recorder
N.P.
N.P.C.
N.N.C.
N.N.L.



Janice M. Hammond
Recorder of Deeds
St. Louis County, Missouri

RECORDING FEE \$92.00
(Paid at the time of Recording)

Mail to:

Destination code: 21 P

B-14859 P-1353/1357

GENERAL WARRANTY DEED

6/575/- 03003842 - J.C.

THIS DEED, made and entered into as of the 8th day of May, 2003, by and between Crossroad Properties, L.L.C., a Missouri limited liability company, (hereinafter Grantor) (address: 13588 Northwest Industrial Drive, Bridgeton, Missouri 63044) and K & A Realty, L.L.C., (hereinafter Grantee) (address: 4605 Crossroads Industrial Drive, St. Louis, Missouri, 63044)

WITNESSETH, the Grantor, for and in consideration of the sum of one dollar and other valuable considerations paid by the said Grantee, the receipt of which is hereby acknowledged, does by these presents **GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM** unto the said Grantee, the real estate situated in the County of St. Louis and State of Missouri more particularly described as:

See Exhibit "A" attached and made a part hereof

SUBJECT TO: building lines, easements, conditions, restrictions, and zoning regulations, if any, of record.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto Grantees and their successors and assigns forever. The Grantor hereby covenanting that it and its successors and assigns shall and will **WARRANT AND DEFEND** the title unto the premises unto Grantees and their successors and assigns, forever against the lawful claims of all persons whomsoever, excepting, however, the general taxes for the year 2003 and thereafter, and special taxes becoming a lien after the date of this deed.

IN WITNESS WHEREOF, the Grantor has caused these presents to be signed the day and year first above written.

Crossroad Properties, L.L.C.
By: CCM Smith, L.L.C., Member
By: Russell J. Smith
Russell J. Smith, Manager

STATE OF MISSOURI)
) ss
COUNTY OF St. Louis)

On this 8th day of May, 2003, before me personally appeared Russell J. Smith, who, being by me duly sworn, he is the Manager of CCM Smith, L.L.C. Member of Crossroad Properties, L.L.C. and that the foregoing instrument was signed on behalf of said limited liability company by authority of its Members and said Russell J. Smith, and acknowledged said instrument to be the free act and deed of said limited liability company.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal in the County and State the day and year first above written.

My Term expires:

Shirley E. Caldwell
Notary Public
SHIRLEY E. CALDWELL
Notary Public - Notary Seal
STATE OF MISSOURI
ST. CHARLES COUNTY
MY COMMISSION EXP. JAN. 17, 2006

File #: 03003882

**EXHIBIT A
LEGAL DESCRIPTION**

Land situated in the County of St. Louis, and State of MO, to-wit:

Parcel No. 1:

Parcel B of the " Lot Split Plat of Lot 2A2 of a Lot Split Plat of Lot 2A of the Resubdivision of Lot 2 of Crossroads Industrial Park, Lots 2A, 2B and 2C" a subdivision in the County of St. Louis Missouri, according to plat thereof recorded on May 5, 2003 in Plat Book 351 page 281 of the St. Louis County Records.

Parcel No. 2: Non Exclusive Easement for pedestrian and vehicular access, ingress and egress to and from Crossroads Industrial Drive, created by the Roadway Access Easement and Easement Maintenance Agreement dated December 27, 1996 and recorded on December 27, 1996 in Book 11019 page 1265, on, over and across a portion of Lot 2B of the Resubdivision of Lot 2 of Crossroads Industrial Park, Lots 2A, 2B and 2C according to plat thereof recorded in Plat Book 344 page 371 of the St. Louis County Records, and shown on Exhibit "D" of said easement deed.

Parcel No. 3: Non-Exclusive Easement for pedestrian and vehicular access, ingress and egress to and from Crossroad Industrial Drive, created by the Roadway and Utility Easement and Maintenance Agreement dated May 13, 1998 and recorded on May 14, 1998 in Book 11596 page 47, on, over and across a portion of Lot 2A1 of Lot Split of Lot 2A of "The Resubdivision of Lot 2 of Crossroads Industrial Park, Lots 2A, 2B and 2C" according to plat thereof recorded in Plat Book 346 page 260 of the St. Louis County Records.

Parcel No. 4: Non-exclusive Easement for ingress and egress to and from Crossroad Industrial Drive, created by the Lot Split Plat recorded on May 5, 2003 in Plat Book 351 page 281, on over and across a portion of Parcel C of the Lot Split Plat of Lot 2A2 of a Lot Split Plat of Lot 2A of the Resubdivision of Lot 2 of Crossroads Industrial Park, Lots 2A, 2B and 2C" according to plat thereof recorded on May 5, 2003 in Plat Book 351 page 281 of the St. Louis County Records.

COMMONLY KNOWN AS: 4601 Crossroads Industrial Drive, St. Louis, MO 63044

LOCATOR NUMBER: 090220146